

Applicant has attached hereto a Declaration under 37 CFR Section 1.131 which indicates that the present invention was invented prior to the effective date of Alcorn. Accordingly, this Declaration should remove Alcorn as a reference which may be applied against the present claims. Therefore, the rejection should be obviated, and all claims should be allowable.

II. Traversal of the Rejection over the Cited Art

Applicant also submits that the pending claims patentably distinguish over the cited art. For example, Claim 1 recites "building a program ... to represent said data file". Relative to this subject matter, a passage from Column 5, lines 34 - 39 of Alcorn is cited. This passage apparently has nothing to do with building a program to represent a data file. Rather, the passage describes a client object 400 which contains functionality required for connection in a client side builder environment, and that the builder environment is a software program that allows one to build an application. There is no discussion of building a program to represent a data file.

A passage from Column 8, lines 45-46 is cited against the passage of Claim 1 which recites "compiling the program [which represents the data file] ... into a software executable". In contrast, the cited passage merely states that "Java programs are compiled for the JVM." There is no description that the Java programs are programs that have been created in a prior step to represent a **data file**. Compiling programs in general is certainly not new. But the first two steps of Claim 1 are certainly not taught, suggested or disclosed by Alcorn.

Similarly, relative to the third step of Claim 1, a passage from Column 8, lines 53-58 is cited. This passage simply states that the Java compiler generates bytecode instructions, which is also well known in the art. However, it does not disclose the subject matter of the third step of Claim 1, which recites "running the executable to generate the data file." No data file is generated in the cited passage of Alcorn.

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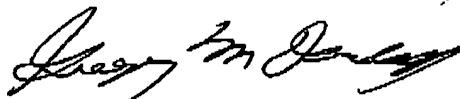
Accordingly, Applicant submits that Claim 1 patentably distinguishes over Alcorn.

Independent Claims 18 and 35 were rejected for the same reasons as Claim 1. Accordingly, Applicant submits that these claims also patentably distinguish over the cited art for the same reasons as Claim 1. Further, it follows that the dependent claims all patentably distinguish over the art.

II. Summary

Applicant has presented technical explanations and arguments fully supporting his position that the pending claims contain subject matter which is not taught, suggested or disclosed by the cited art, and have demonstrated that Alcorn is not effective as a reference against the present claims. Accordingly, Applicant submits that the present Application is in a condition for Allowance. Reconsideration of the claims and a Notice of Allowance are earnestly solicited.

Respectfully submitted,



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